

AMENDED IN SENATE APRIL 18, 2005

AMENDED IN SENATE APRIL 11, 2005

AMENDED IN SENATE MARCH 17, 2005

**SENATE BILL**

**No. 190**

**Introduced by Senator Cedillo**

February 10, 2005

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An act to amend Section 17518.5 of the Government Code, relating to state mandates.

LEGISLATIVE COUNSEL'S DIGEST

SB 190, as amended, Cedillo. State mandates.

Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including a school district, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Statutory provisions establish procedures for making that reimbursement and define a reasonable reimbursement methodology for this purpose.

~~This~~

*The bill would authorize the Department of Finance, the Controller, an affected state agency, a claimant, or an interested party to develop a reasonable reimbursement methodology for reimbursing local agencies and school districts.*

*The bill would, on or before June 1, 2006, require the Department of Finance to develop a reasonable reimbursement methodology for local agencies, not including school districts, in consultation for the Public Safety Officers Procedural Bill of Rights mandate by convening a series of at least 3 meetings with the Controller, an affected state*

agency, a claimant, interested local governments, and any other interested parties.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17518.5 of the Government Code is  
2 amended to read:

3 17518.5. (a) “Reasonable reimbursement methodology”  
4 means a formula for reimbursing local agency *and school district*  
5 costs mandated by the state that meets the following conditions:

6 (1) The total amount to be reimbursed statewide is equivalent  
7 to total estimated local agency *and school district* costs to  
8 implement the mandate in a cost-efficient manner.

9 (2) For 50 percent or more of eligible local agency and school  
10 district claimants, the amount reimbursed is estimated to fully  
11 offset their projected costs to implement the mandate in a  
12 cost-efficient manner.

13 (b) Whenever possible, a reasonable reimbursement  
14 methodology shall be based on general allocation formulas,  
15 uniform cost allowances, and other approximations of local costs  
16 mandated by the state, rather than based on detailed  
17 documentation of actual local costs. In cases when local agencies  
18 *and school districts* are projected to incur costs to implement a  
19 mandate over a period of more than one fiscal year, the  
20 determination of a reasonable reimbursement methodology may  
21 consider local costs and state reimbursements over a period of  
22 greater than one fiscal year, but not exceeding 10 years.

23 (c) *A reasonable reimbursement methodology may be*  
24 *developed by any of the following:*

25 (1) *The Department of Finance.*

26 (2) *The Controller.*

27 (3) *An affected state agency.*

28 (4) *A claimant.*

29 (5) *An interested party.*

30 ~~(e)~~

31 (d) (1) ~~On~~ *Notwithstanding subdivision (c), on or before June*  
32 *1, 2006, the Department of Finance shall convene a series of at*  
33 *least three meetings to develop a reasonable reimbursement*

1 methodology ~~in consultation with all of the following:~~ *for the*  
2 *Public Safety Officers Procedural Bill of Rights mandate*  
3 *(Chapter 9.7 (commencing with Section 3300) of Division 4 of*  
4 *Title 1). The invitees shall include all of the following:*

- 5 (A) The Controller.
- 6 (B) An affected state agency.
- 7 (C) A claimant.
- 8 (D) Interested local governments.
- 9 (E) Any other interested parties.

10 (2) This subdivision does not require the participation by any  
11 party ~~consulted~~ *invited* by the Department of Finance pursuant to  
12 paragraph (1).

13 ~~(d) Notwithstanding any other provision of law, for purposes~~  
14 ~~of this section, "local agency" shall not be construed to include~~  
15 ~~any local school district, county office of education, charter~~  
16 ~~school, or any other local educational agency.~~

17 (3) *A reasonable reimbursement methodology determined*  
18 *pursuant to this subdivision shall be subject to revision based on*  
19 *new findings by the Commission on State Mandates if it*  
20 *reconsiders its decision regarding the Public Safety Officers*  
21 *Procedural Bill of Rights mandate.*